

REMARKS

Claims 1 to 11 are pending in this application. None have been allowed.

At the top of page 2 of the Action, the Examiner sets a Restriction Requirement and identifies the following inventions:

- I. Claims 1-9 directed to a method of treating visceral adiposity, metabolic syndrome, type II diabetes, or insulin resistance, comprising administering an effective amount of a compound of formula I, II, III and IV as listed in claims 1.
- II. Claims 10-13 directed to a pharmaceutical composition comprising a first compound of formula I, II, III and IV as listed in claims 1 and a second compound selected from an antidiabetic agent, a lipid lowering agent, an antihypertensive agent and antiobesity agent, testosterone, a testosterone precursor, a testosterone pro-drug, a testosterone analog and an androgen receptor agonist.

On August 20, 2009 the undersigned attorney called Examiner Ramachandran to seek clarification of the Restriction Requirement. Applicants were inclined to elect Group I, however, Applicants were interested in adding method of treatment claims requiring a second active agent. The Examiner indicated that, in principle, this would not be an issue (in terms of the Restriction Requirement). However, she asked the undersigned attorney to identify the genus to which second agent belonged as well as an elected species of second agent. Applicants have included appropriate comments below.

First, Applicants elect Group I, without traverse.

At the top of page 4 of the Action, the Examiner states that if applicants choose Group I, Applicants are required to elect a genus from formula I, II, III and IV. Applicants are further required to elect a "subspecies" of compound (e.g. finasteride). Applicants are further required to elect a species of disorder.

At this time Applicants the genus of formula I and elect finasteride as the "subspecies" of compound. Furthermore, applicants elect metabolic syndrome as the species of disorder.

Second, Applicants note that they have amended claims 10 and 11 to method claims comprising a second active agent. The species of second active agent elected by Applicants is testosterone. As described in the specification, testosterone is a member of a Markush group comprising "testosterone, a testosterone precursor, a testosterone pro-drug, and a testosterone analog".

Attached herewith is an Information Disclosure Statement (IDS). Note that the IDS includes documents that are not prior art.

Having addressed the outstanding issues, Applicants respectfully request early examination and allowance of the claims. The Examiner is invited to contact the undersigned attorney at the telephone number provided below if such would advance the prosecution of this application. Applicants reserve the right to prosecute cancelled subject matter in a continuing or divisional application.

Respectfully submitted,

By /Curtis C. Panzer – Reg. No. 33,752/
Curtis C. Panzer
Reg. No. 33,752
Attorney for Applicants

MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3199

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